

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSEPH GASKINS,

Plaintiff,

v.

MULE CREEK STATE PRISON,

Defendant.

No. 2:22-cv-00459-TLN-JDP

**ORDER**

Plaintiff, a state inmate proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 19, 2022, the magistrate judge filed findings and recommendations herein which were served on Plaintiff and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 22.) Plaintiff has not filed objections to the findings and recommendations.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed *de novo* by both the district court and [the appellate] court . . ."). Having reviewed the file, the Court finds the findings and recommendations to be supported by

1 the record and by the proper analysis.

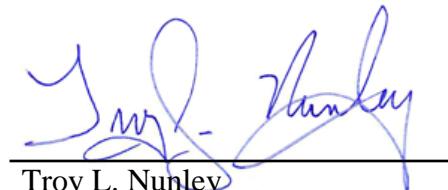
2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The findings and recommendations filed December 19, 2022, (ECF No. 22), are  
4 adopted in full;

5 2. This action is DISMISSED without leave to amend; and

6 3. The Clerk of Court is directed to close this case.

7 **DATED: February 7, 2023**



8  
9  
10 Troy L. Nunley  
11 United States District Judge  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28